

Official

6-25-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Curry et al.

Application No.: 09/683,995 (CONF 2530)

Filed: 3/10/2002

Title: Email messaging program with built-in video
and/or audio media recording and/or playback
capabilities

Attorney Docket No.: 1049.002US1

Group Art Unit:
2155Examiner:
Khanh Q. Dinh#9
LDJ
7-1-03Assistant Commissioner for Patents
Washington, D.C. 20231RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action of May 23, 2003, please consider the following remarks.

REMARKSIDS Reference not Considered

Applicant notes that reference #18 in the Information Disclosure Statement (IDS) deposited with the United States Postal Service on March 16, 2002, to the USPTO via First Class Mail, received by the Office of Initial Patent Examination (OIPE) on March 21, 2002, and annotated as paper #4, was indicated by the Examiner as not present. However, this is incorrect, as the reference in question, "VideoMail Studio, <http://www.digitalmediaworks.com>, undated," was in fact submitted by Applicant's Attorney. Applicant notes that Applicant's Attorney signed a certification to that fact on the first page of the IDS as submitted, such that Applicant conjectures that the OIPE may have misplaced the reference.

The Examiner indicated in the Interview of June 24, 2003, that the problem with this reference is not that it was not attached to the IDS, but rather that the reference is undated, such that it cannot be entered in the USPTO's computer system. Applicant has examined the web page of the reference in question, and has determined that the web site is copyrighted "1998-2003."